CWP No. 418 of 2001

10.5.2007: Present: Mr. Rajnish Maniktala, Advocate for the petitioner.

Mr. Sandeep Kaushik, Advocate for the respondent.

This Court on 17th April, 2007 issued directions to the Presiding Judge, Labour Court, Shimla to decide the issue of production bonus after permitting the parties to lead their evidence within a period of one month from the date of appearance. The parties were directed to appear before the Presiding Judge, H.P. Labour Court, Shimla on 24th April, 2007. The Registry of this Court has received a letter dated 26th April, 2007 sent by Presiding Judge, H.P. Industrial Tribunal-cum-Labour Court, Shimla pointing out therein that the case pertains to District Una, which falls within the jurisdiction of the Presiding Judge, H.P. Industrial Tribunal-cum-Labour Court, Dharamshala. The copy of this communication has been placed at page 49.

In view of the subsequent development, order dated 17th April, 2007 is modified in the following terms:-

> **"In view of the joint submissions made by the parties, award dated 23.10.2000 Annexure P-1 is set aside. The Learned Presiding Judge, H.P. Industrial Tribunal-cum-Labour Court, Dharamshala is directed to decide the issue of production bonus after permitting the parties to lead their evidence within a period of one month from the date of appearance of the parties. The parties shall positively appear before the learned Presiding Judge, H.P. Industrial Tribunal-cum-Labour Court, Dharamshala on 25.5.2007."**

The copy of this order now be sent to the learned Presiding Judge, H.P. Industrial Tribunal-cum-Labour Court, Dharamshala. The Presiding Judge, H.P. Industrial Tribunal-cum-Labour Court, Dharamshala while determining the lis between the parties will take into consideration sections 3, 10 and 11 of Payment of Bonus Act, 1965.

(Rajiv Sharma), Judge

May 10,2007
Awasthi